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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/458,410	12/10/1999	Mohammad Peyravian	P-4541.004	8813
24112	7590	03/11/2004	EXAMINER	
COATS & BENNETT, PLLC P O BOX 5 RALEIGH, NC 27602			VAUGHAN, MICHAEL R	
		ART UNIT	PAPER NUMBER	
		2131	11	
DATE MAILED: 03/11/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/458,410	PEYRAVIAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael R Vaughan	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 January 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-19 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10 December 1999 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

### **Detailed Action**

Claims 1-19 have been examined and are pending.

### ***Response to Arguments***

Applicant's arguments filed 1-23-04 have been fully considered but they are not persuasive. Applicant argues on pages 2-4 of the response that Haber et al do not teach or suggest the use of a linking value or generating a second time stamp receipt based on a linking value. The examiner respectfully disagrees.

As per independent claims 1 and 9, the examiner maintains the fact that Haber et al do teach that the time stamp receipt in fact do have a linking value for the following reasons. The first reason being that each time stamp receipt of Haber et al includes a hash of the original document. The hash would be the same in each certified time stamp because each are suppose to be hashing the same document. Therefore a common value exists in all time stamp receipts based on the same document. In addition to having a hash that corresponds to a common entity in the time stamps, is the teaching on column 4, lines 65-66. Haber et al teach that the agency selects members to certify a document. The agency does this by the hash of the document. The hash becomes the initial seed of a random generator to allow members to pick chosen at random. The further identifies the linking property that the hash value possesses. While it is true that members are chosen pseudorandomly, the members are still certifying the same document.

Aside from the hash in time stamp receipts, each time stamp receipt also includes a ID number that identifies the author of the document. This value is another value that does link receipts together. In fact the phrase "linking value" is very broad and ambiguous. Linking value does not have a specific definition in the art. Any value that links two or more objects together is a linking value.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., Haber never discloses a linking value that links a time value in one receipt to identifying data in a different receipt) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claims 1-4, 6-12, and 14-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Haber et al (USP Re. 34,954).

As per claim 1, Haber et al teach:

Receiving identifying data associated with a document D at an outside agency (column 2, line 55—column 3, line 10);

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Creating at said outside agency a first receipt based on said identifying data and a linking value (column 2, line 55—column 3, line 10);

Creating at said outside agency a second receipt based on said identifying data and a linking value (column 4, line 39—column 5 line 36);

Certifying said first and second receipts at said outside agency using a cryptographic signature scheme (column 4, line 39—column 5 line 36).

See the response to argument section for the remainder of the limitations.

As per claims 2-4 and 6 Haber et al teach a method of identifying data that comprises a hash value generated from a one-way hash function and including the hash value and the time indication to the time stamp receipt (column 3, lines 10-65).

As per claim 7, Haber et al teach said time stamp request further includes an identification number associated with the requestor (column 3, lines 10-65 column 4, lines 8-39).

As per claim 8, Haber et al teach wherein each time stamp receipt includes a sequential record number (column 4, lines 8-20).

As per claim 9, Haber et al teach:

transmitting identifying data associated with said document to an outside agency (column 2, line 55—column 3, line 10 and FIGs. 1-3);

receiving from said outside agency a first receipt based on said identifying data and a linking value (column 2, line 55—column 3, line 10);

receiving from said outside agency a second receipt based on said identifying data and a linking value (column 4, line 39—column 5 line 36);

Haber et al do not expressly disclose having a linking value as part of the receipt. However it is inherent that a linking value must exist because the second receipt is created and later combined with the first receipt (column 5, lines 9-15). If there were no linking value then the TSA could not match up receipts. Also Haber et al suggests the use of a random number in the creation of the receipts (column 4, lines 59-62). Random numbers, also called nonces, are commonly used to help identify and link messages to an owner as a form of authentication.

As per claims 10-12 and 14 Haber et al teach a method of identifying data that comprises a hash value generated from a one-way hash function and including the hash value and the time indication to the time stamp receipt (column 3, lines 10-65).

As per claim 15, Haber et al teach said time stamp request further includes an identification number associated with the requestor (column 3, lines 10-65 column 4, lines 8-39).

As per claim 16, Haber et al teach wherein each time stamp receipt includes a sequential record number (column 4, lines 8-20).

As per claims 17 and 18, Haber et al teach a common cryptographic signature scheme is used to sign both said first and second receipts with different recipients ([57] and column 4, line 39—column 5 line 36). In the second embodiment where the TSA is a collection of trusted parties each party carries out the same method of creating a timestamp. Therefore, each member of the agency would sign the receipt with his/her own key.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 13, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haber et al in view of Liao et al (6,148,405).

As per claims 5 and 13, Haber et al teach a first receipt includes at least a portion of said identifying data (column 3, lines 10-65). Haber et al do not expressly disclose having a nonce as part of the receipt. However, it is implicit that a linking value must

exist because the second receipt is created and later combined with the first receipt (column 5, lines 9-15). If there were no linking value then the TSA could not match up receipts. Also Haber et al suggests the use of a random number in the creation of the receipts (column 4, lines 59-62). Random numbers, also called nonces, are commonly used to help identify and link messages to an owner as a form of authentication.

Liao et al teach that nonce is used to verify a relationship between messages (column 7, lines 5-25). In view of this, it would have been obvious to one of ordinary skill in the art at the time of the invention to employ the teachings of Liao et al within the system of Haber et al because nonces can be used to establish and verify a relationship between two pieces of data.

As per claim 19, the examiner supplies the same rationale for the motivation as recited in the rejection of claim 5 and 13 to incorporate a nonce within the system of Haber et al.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R Vaughan whose telephone number is 703-305-0354. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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MV  
Michael R Vaughan  
Examiner  
Art Unit 2131



AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100